



Response under 37 C.F.R. § 1.116  
Expedited Procedure  
Examining Group 2617

PATENT  
ATTORNEY DOCKET NO.: 066829-5101

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Thierry DUPUIS et al. ) Confirmation No. 6282  
Application No.: 10/808,465 ) Group Art Unit: 2617  
Filed: March 25, 2004 ) Examiner: N. T. Huynh  
For: METHOD OF UNLOCKING A MOBILE ) **Mail Stop AF**  
TELEPHONE TYPE WIRELESS )  
COMMUNICATION TERMINAL )

Commissioner for Patents  
U.S. Patent & Trademark Office  
**Customer Window, Mail Stop AF**  
Alexandria, VA 22314

Sir:

**NOTICE OF APPEAL TO THE BOARD OF  
PATENT APPEALS AND INTERFERENCES**

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner dated September 30, 2008 finally rejecting claims 3-11.

03/31/2009 AWONDAF1 00000145 500310 10008465  
01 FC:1401 540.00 DA  
02 FC:1253 620.00 DA

## 1. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.

Applicants request an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

Total Months Requested	Fee for Extension	[Fee for Small Entity]
<input type="checkbox"/> one month	\$ 130.00	\$ 65.00
<input type="checkbox"/> two months	\$ 490.00	\$ 245.00
<input checked="" type="checkbox"/> three months	\$ 1,110.00	\$ 555.00
<input type="checkbox"/> four months	\$ 1,730.00	\$ 865.00

An extension for two (2) months has already been secured and the fee paid therefor of \$490.00 is deducted from the total fee due for the total months of extension now requested.

Please charge Deposit Account No. 50-0310 in the amount of \$620.00 for the three-month extension of time fee.

If an additional extension of time is required, please consider this a Petition therefor.

## 2. Notice of Appeal Fee - 37 C.F.R. § 41.20(b)(1)

The Commissioner is authorized to charge the appeal fee of \$510.00 to Deposit Account No. 50-0310.

## 3. Fee Payment

The Commissioner is authorized to charge Deposit Account No. 50-0310 in the amount of \$1,130.00 for the balance of \$620.00 for the three-month extension of time fee and the \$510.00 Notice of Appeal fee.

## 4. Constructive Petition

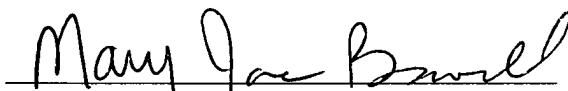
**Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and § 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: March 30, 2009

By:

  
\_\_\_\_\_  
Mary Jane Boswell  
Registration No. 33,652

**CUSTOMER NO. 009629**  
**MORGAN, LEWIS & BOCKIUS LLP**  
1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
Tel: 202.739.3000  
Fax.: 202.739.3100